

## REMARKS/ARGUMENTS

### Amendment to Claims

In response to the Office action, claim 7 has been amended. Claim 14 has been canceled and claims 15 and 16 are added. Support for the new claims can be found in paragraph 55-66, 71, and 77-78. Applicant maintain that no new matter has been introduced.

### I. §102 and §103 Rejection

Claims 7-11 and 2 were rejected under 35 U.S.C. §102(b) as being anticipated by Nagasaka et al. (US 5974218). Claims 12-14 and 3-4 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nagasaka and further in view of Akiba et al. Applicant respectfully traverses these rejections.

While Nagasaka discloses a method for creating a storage structure where frames can be detected, it fails to disclose all the recited elements. With respect to claim 1, the critical element missing in Nagasaka is looping the data on the memory by overwriting a portion of the memory.

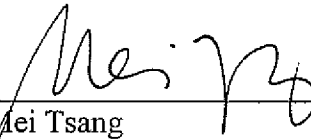
As for Akiba, the references did not contain among them all of the elements of the pending claims. Specifically, Akiba does not disclose looping the data on the memory by overwriting a portion of the memory. While it discloses a ring buffer, the ring buffer only applies to the context of eight frame buffers separately. It does not provide an index to store different addresses of the memory for *each* of a plurality of sequential frames of the data recorded. (emphasis added).

Even if Akiba recited all the elements of the pending claims, the rejections on obviousness would still be inappropriate because one of ordinary skill in the art would have expected the claimed combinations to fail. The reason is that such a person would have expected such combination to fail: (1) using an index to store different addresses of the memory for each of a plurality of sequential frames of the data recorded and (2) looping the data on the memory by overwriting a portion of the memory. The proof is that Akiba is disclosing an index buffer and a frame buffer in which the buffers are a just temporary storage location for data information being sent or received and the index is not to store different address of sequential frames of the data recorded. Thus, the Office further fails to provide sufficient motivation to combine the cited references.

**Request For Allowance**

Claims 2-4, 7-13, 15 and 16 are pending in this application. The applicant requests allowance of all pending claims.

Respectfully submitted,  
RUTAN & TUCKER

By   
Mei Tsang  
Reg. No. 56,122

Rutan & Tucker, LLP  
611 Anton Blvd., 14<sup>th</sup> Floor  
Costa Mesa, CA 92626-1931  
Telephone (714) 641-5100  
Fax (714) 546-9035